



**US Army Corps  
of Engineers®**

Nashville District

# Public Notice

Public Notice No. 06-133

Date: January 18, 2007

Application No. 44174

Expiration Date: February 18, 2007

Please address all comments to: Nashville District Corps of Engineers, Regulatory Branch (Attn: Maryellen Farmer), 3701 Bell Road, Nashville, TN 37214.  
Telephone: (615) 369-7517, Fax (615) 369-7501.

JOINT PUBLIC NOTICE  
US ARMY CORPS OF ENGINEERS  
AND  
TENNESSEE VALLEY AUTHORITY

SUBJECT: Proposed Commercial Marina Expansion, Private Community Slips, and Bank Stabilization Associated with the German Creek Resort Development at German Creek Mile 1.6R, Opposite Holston River Mile 70.0R, Cherokee Lake, Grainger County, Tennessee

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant **Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C. 1344)** and a Tennessee Valley Authority (TVA) permit pursuant to **Section 26a of the TVA Act (16 USC 831y-1)**. The State of Tennessee has issued a general permit for the bank stabilization that serves as certification pursuant to Section 401(a)(1) of the CWA, that applicable water quality standards will not be violated provided the applicant receives the required authorizations pursuant to applicable provisions of Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and 26a of the Tennessee Valley Authority Act.

APPLICANT: German Creek Resort, LLC  
9724 Kingston Pike, Suite 206  
Knoxville, Tennessee 37933

LOCATION: German Creek Mile 1.6R, Opposite Holston River Mile 70.0R, Cherokee Lake, Grainger County, Tennessee. Latitude: 36°18'12.8" Longitude: 83°20'52.7" USGS Topographic Map: Bean Station, TN

DESCRIPTION: The proposed work consists of the construction of a 64-slip community dock associated with the adjacent German Creek Resort 214 luxury condo units currently under construction. Individual slips would measure 12'x30' with 3'x44' fingers

between. Each slip would have a 12' x 14' patio. The length (lakeward) of each section would be 44'. The facility would consist of four linked dock sections that would be positioned parallel to the shoreline. The community slips would be attached to shore by the proposed covered stair structure (A) and an aluminum access bridge measuring 6'x80'. The applicant also proposes the placement of riprap along 959 linear feet of shoreline where the community slips would be located.

German Creek Marina currently contains 102 floating slips and two boat ramps. The applicant proposes to remove all existing structures, slips and ramps, and replace them with 213 new dock structures within the existing harbor limits. The proposed marina has two main dock structures that are located east of the German Creek Bridge. The applicant has divided the dock additions into the following sections:

- Section 1 - 66 summer slips located primarily in the winter drawdown zone between elevation 1075' and 1045'. These slips would be located closest to the shoreline. Half of these would be 22'x 24' slips and half would be 22' x 30' slips.
- Section 2 - 44 permanent slips - the outermost row of slips on the dock structure closest to the bridge, oriented parallel to the shoreline. Half of these would be 17' x 40' slips and half would be 17' x 50' slips.
- Section 3 - 32 permanent slips - in innermost row of slips on the dock structure closest to the bridge oriented parallel to the shoreline. Half of these would be 22' x 24' slips and half would be 22' x 30' slips.
- Section 4 - 40 permanent slips - located on the dock structure furthest from the bridge in the commercial marina, this dock is perpendicular to the shoreline, and serves as the main arm of the structure. Half of these would be 22' x 24' slips and half would be 22' x 30' slips.
- Section 5 - 10 houseboat slips - the outermost row of slips on the structure furthest from the bridge, parallel to Section 4. Each slip within this unit would measure 20' x 50'.
- Section 6 - 20 summer slips - located between Sections 4 and 5 on the second dock structure. Half of these would be 22' x 24' slips and half would be 22' x 30' slips.

The proposed floating marine store and fuel dock would be located at the confluence of Section 3 and the main arm of the dock structure closest to the bridge. This structure would measure 58' x 76' overall.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that

significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

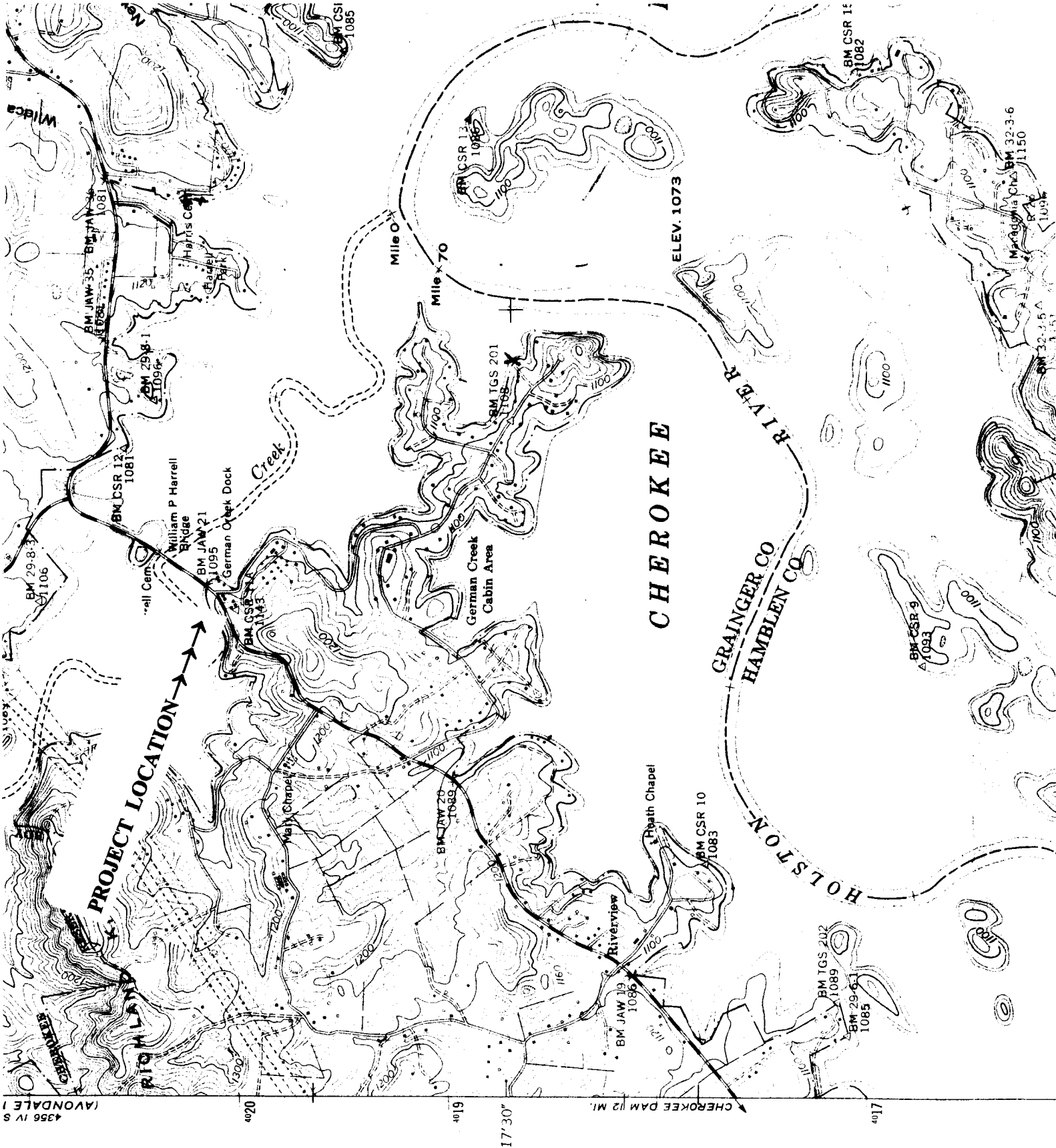
Based on available information, the proposed work will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work are as follows:

Tennessee Valley Authority (TVA) approval under Section 26a of the TVA Act. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.

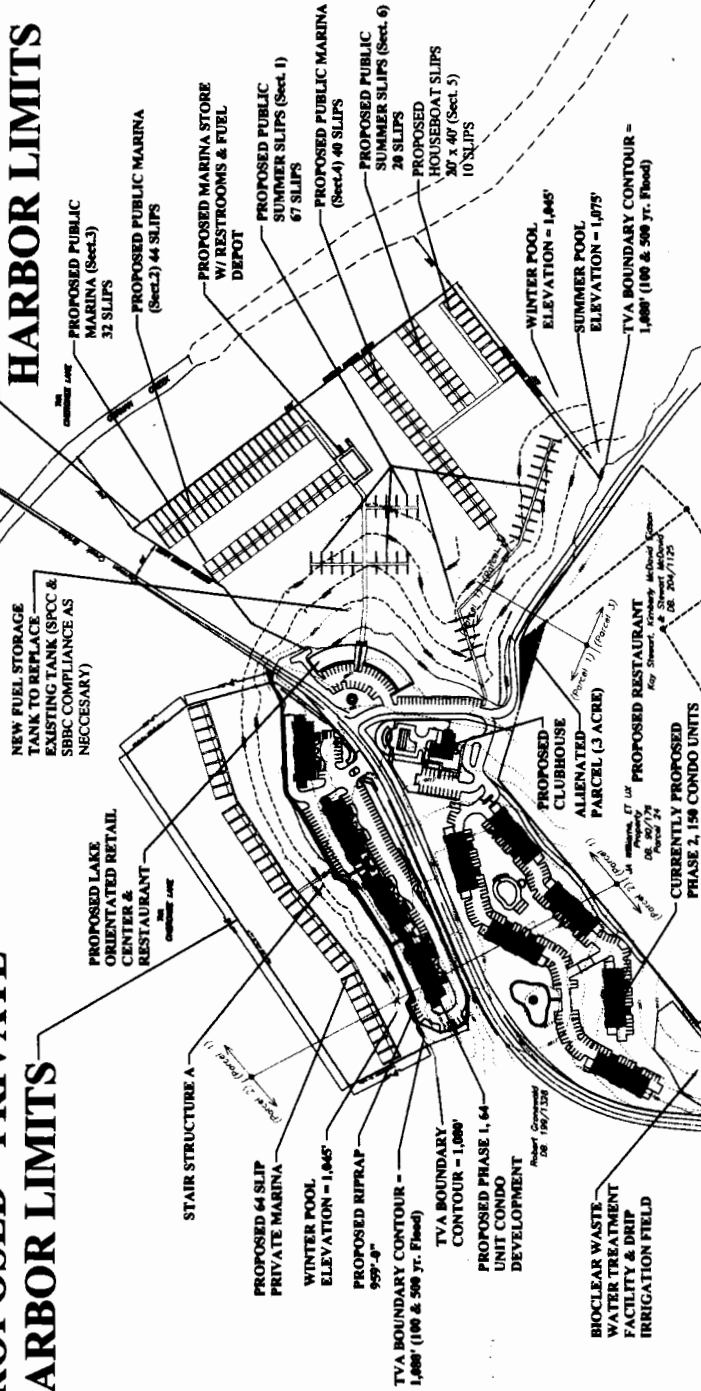
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Written statements received in this office on or before **February 18, 2007**, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Maryellen Farmer, at the above address, (615) 369-7517, Fax (615) 369-7501. The email address is [Maryellen.J.Farmer@lrn02.usace.army.mil](mailto:Maryellen.J.Farmer@lrn02.usace.army.mil). It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to Tennessee Valley Authority, Holston-Cherokee-Douglas Watershed Team, Attn: Ms. Anne Patrick, 3726 E. Morris Blvd., Morristown, Tennessee 37813-1270

If you received this notice by mail and wish to view all of the diagrams, visit our web site at: <http://www.lrn.usace.army.mil/cof/notices.htm>, or contact Mrs. Farmer at the above address or phone number.



# EXISTING "PUBLIC" HARBOR LIMITS

# PROPOSED "PRIVATE" HARBOR LIMITS



**EXHIBIT**

This Exhibit reflects a preliminary site plan of the currently proposed locations of the Condominium Regimes and is subject to change and modification by GCR, its successors and assigns. In addition, nothing on this Exhibit mandates that GCR, its successors and assigns, construct and develop all of the proposed improvements, use, location and size are subject to change by GCR, its successors and assigns. The information shown on this Exhibit is for depicting those preliminary plans described and for no other purpose.

## PROPOSED GERMAN CREEK RESORT

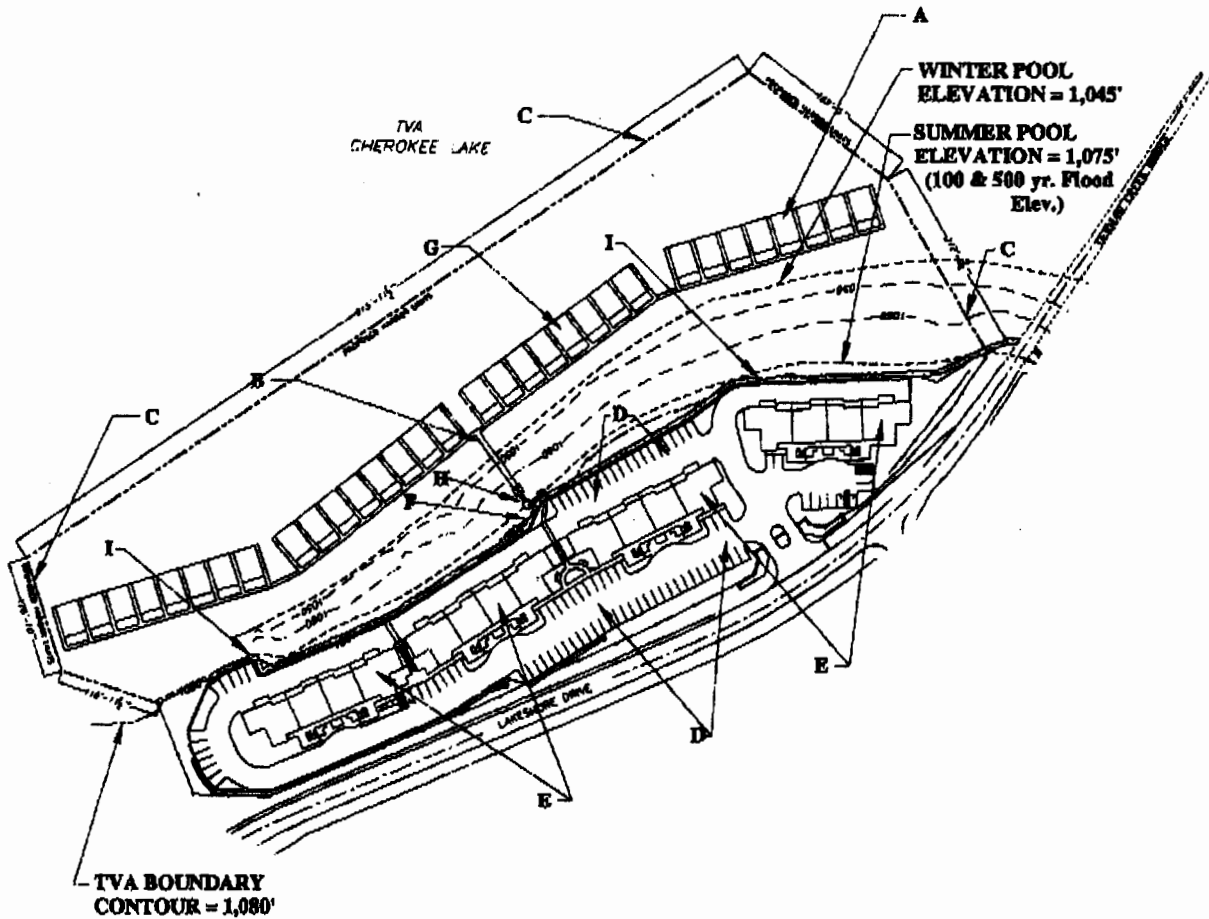
NO LAUNCH RAMP IS TO BE PROVIDED  
NO LOW WATER PARKING IS TO BE PROVIDED  
ALL SHORELINE WITHIN HARBOR LIMITS IS TO HAVE RIPRAP AND LANDSCAPING

*"German Creek Resort"*  
*Swain County, Tennessee*

*German Creek Resort LLC*

-DRAFT SUBJECT TO CHANGE -

All information, drawings, specifications and other documents are subject to change without notice and may be amended in conformity with the requirements of the applicable laws and regulations. Please contact the undersigned for more information. 4/2/08



# **GERMAN CREEK RESORT PRIVATE MARINA**

## **LEGEND**

- A = PROPOSED COVERED SLIPS FOR PRIVATE USE (64 TOTAL)
- B = PROPOSED ACCESS CATWALK (76' X 10')
- C = PROPOSED HARBOR LIMITS
- D = PROPOSED PARKING
- E = PRIVATE CONDOS
- F = PROPOSED RIPRAP AND LANDSCAPE ALONG HARBOR LIMIT SHORELINE
- G = TYPICAL SLIPS (2 PER SECTION)
- H = PROPOSED ACCESS PIER
- I = PROPOSED RIP RAP

64 PRIVATE CONDOS  
64 PRIVATE SLIPS

## **PROPOSED 64 SLIP PRIVATE MARINA**

NO LAUNCH RAMP IS TO BE PROVIDED

1" = 200'-0"

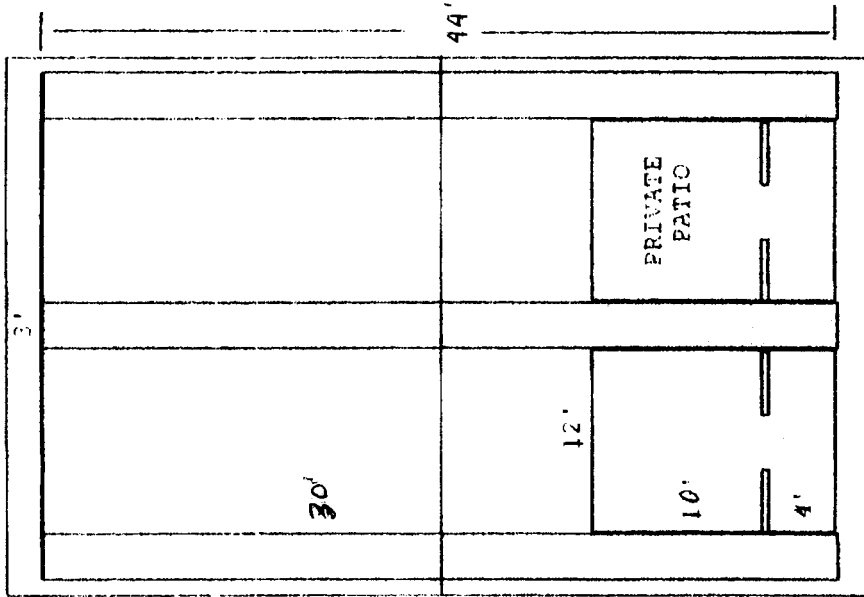
GERMAN CREEK RESORT

NORTH

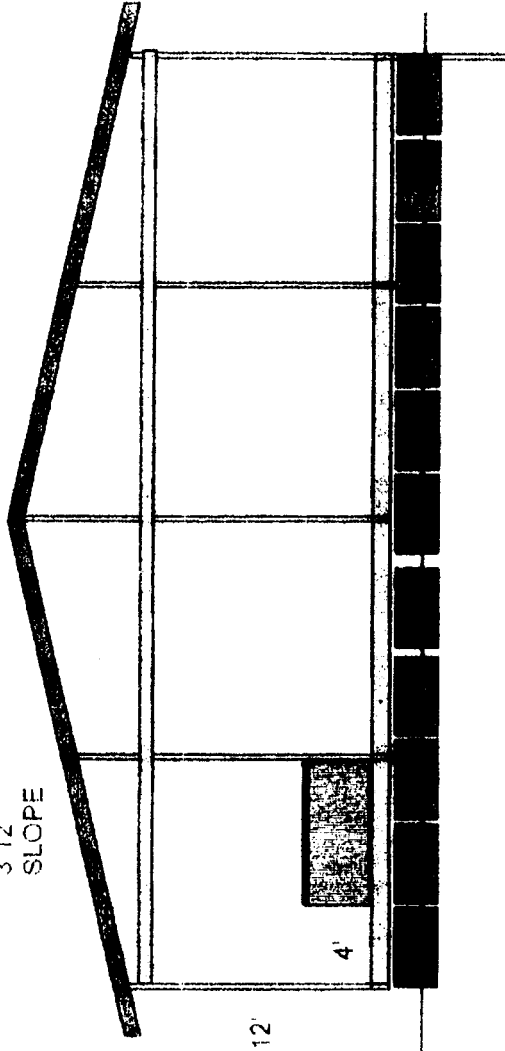
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POOF LINE



3 12  
SLOPE



## CONDO-SLIPS TYPICAL UNIT

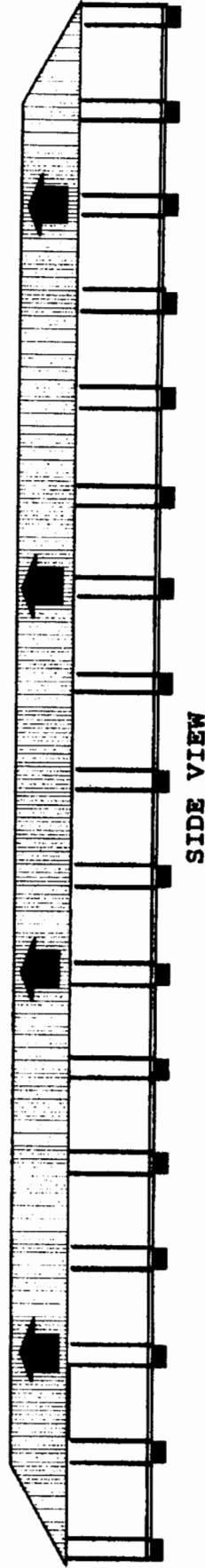
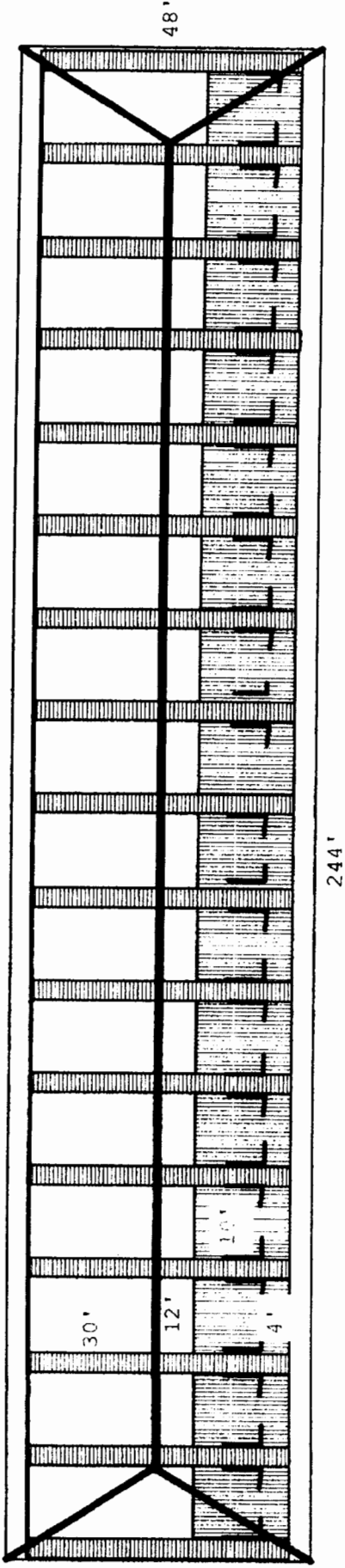
CONDO SLIPS  
4 EA. 16 SLIP UNITS  
TOTAL 64 BOATS  
SLIPS 12' X 30'  
PATIO 12' X 14'  
FINGERS 3'X44'  
ROOF 12' CLEAR  
ALUMINUM ACCESS BRIDGE 6' X 80'  
BRIDGE LANDING 10' X 30'

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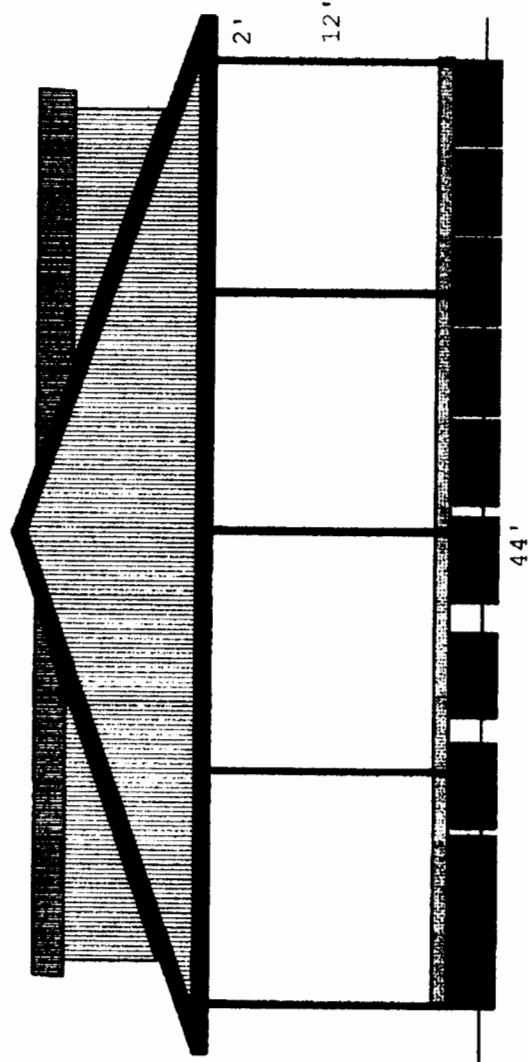


PLAN VIEW



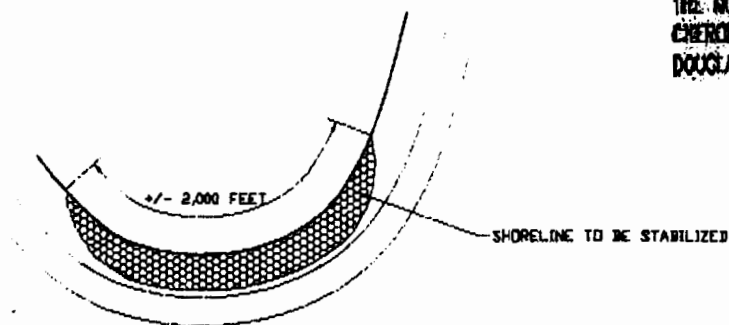
GERMAN CREEK RESORT  
PRIVATE CONDO UNITS

- 16 SLIP CONDO POD
- 12' X 30' SLIP
- 12' X 10' PATIO
- 12' X 4' WALKWAY

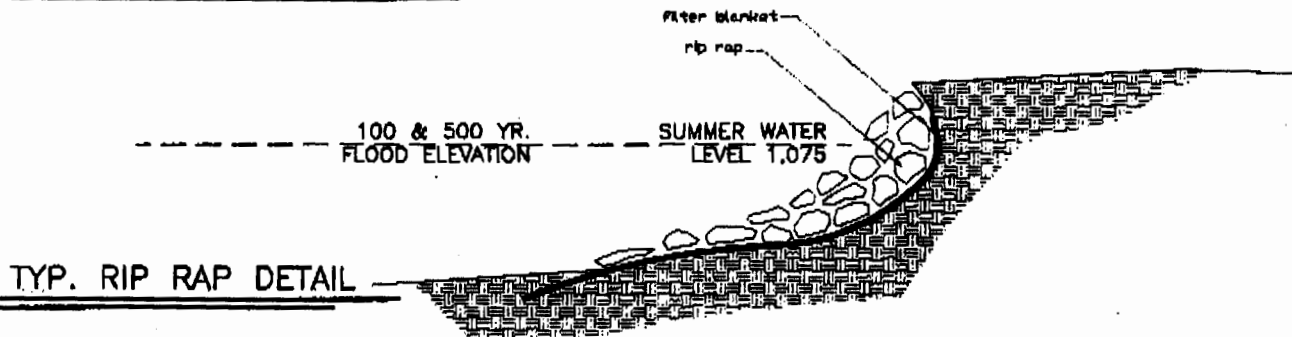


ADVANTAGE DOCKS  
CRONAN LaBORDE INC.

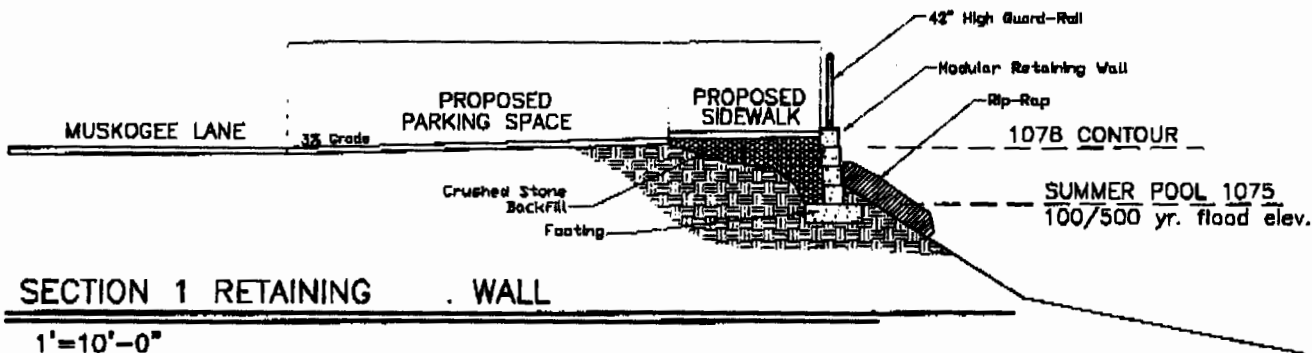
THE NORMAL SUMMER WATER LEVEL IS:  
 CHEROKEE RESERVOIR \_\_\_\_\_ EL. 1069 TO 1071  
 DOUGLAS RESERVOIR \_\_\_\_\_ EL. 990 TO 996



**RIP RAP PLAN**

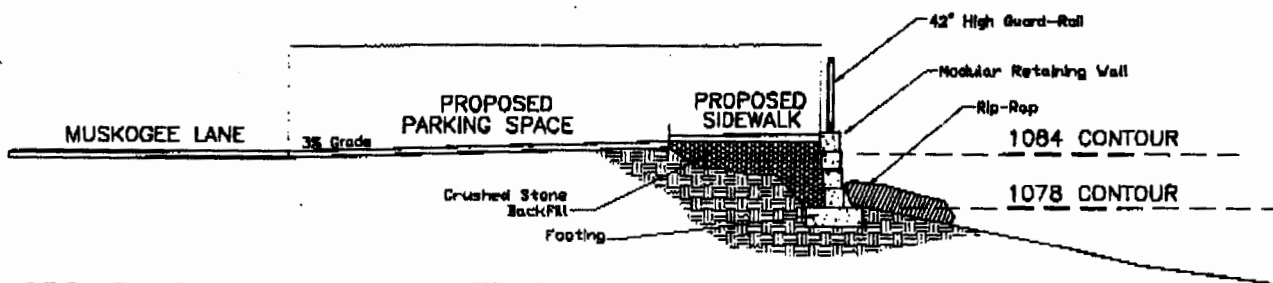


**TYP. RIP RAP DETAIL**



**SECTION 1 RETAINING WALL**

1' = 10'-0"



**SECTION 2 RETAINING WALL**

1' = 10'-0"

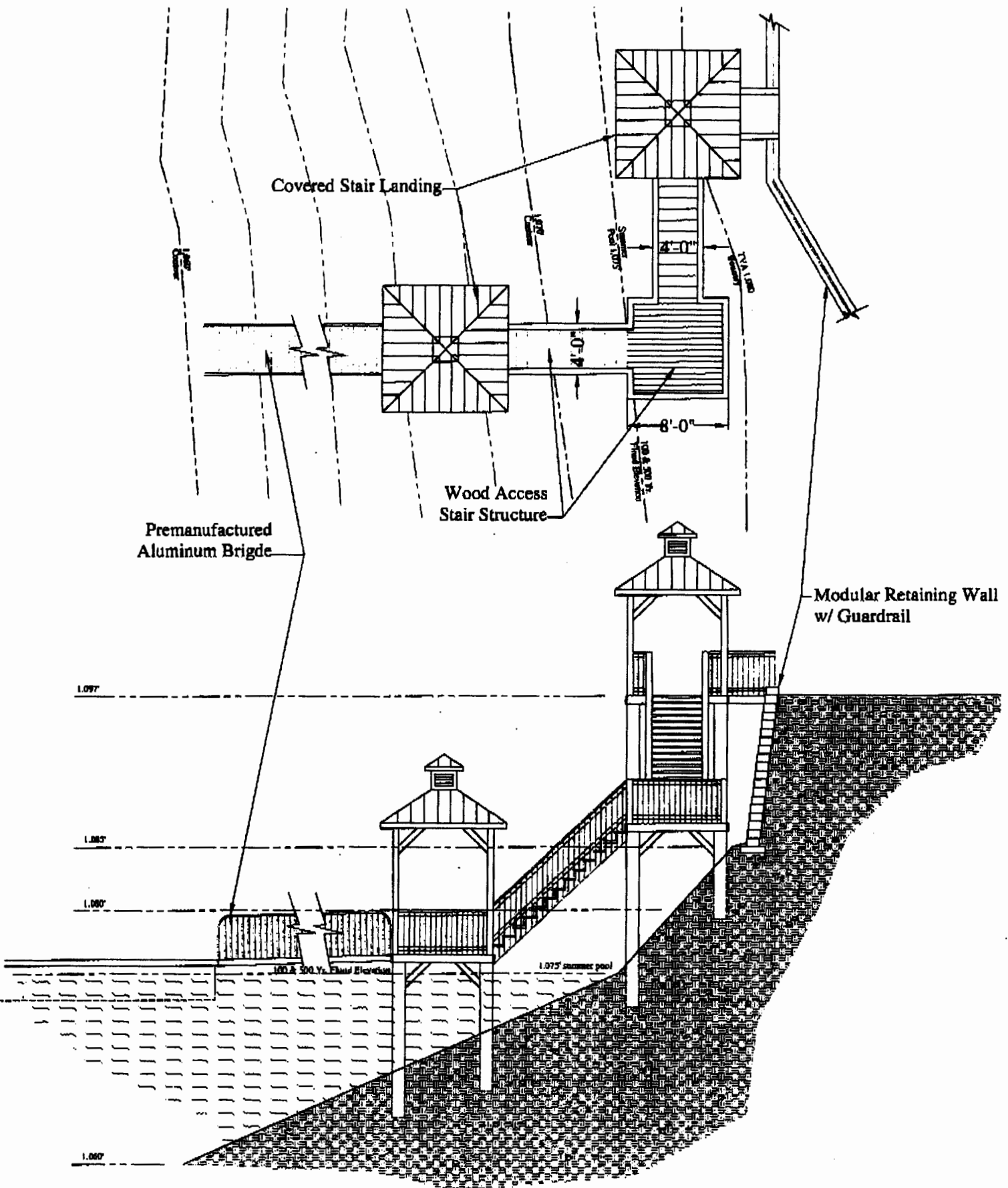
\* TOTAL FEET OF  
 RIP RAP IS:  $\pm$  2,000'-0"

\* TOTAL FEET OF  
 SEAWALL IS:  $\pm$  456'-0"

TYPICAL RIPRAP OR RETAINING WALL	
PROJECT LOCATION INFORMATION:	
STREAM NAME <u>GERMAN CREEK</u>	SUBDIVISION NAME <u>GERMAN CREEK REPORT</u>
RESERVOIR NAME <u>CHEROKEE</u>	LOT NUMBER _____
MILE MARKER _____	MAP NO. _____
(APPLICANT'S NAME) <u>GERMAN CT</u>	

PN NO. 06-133

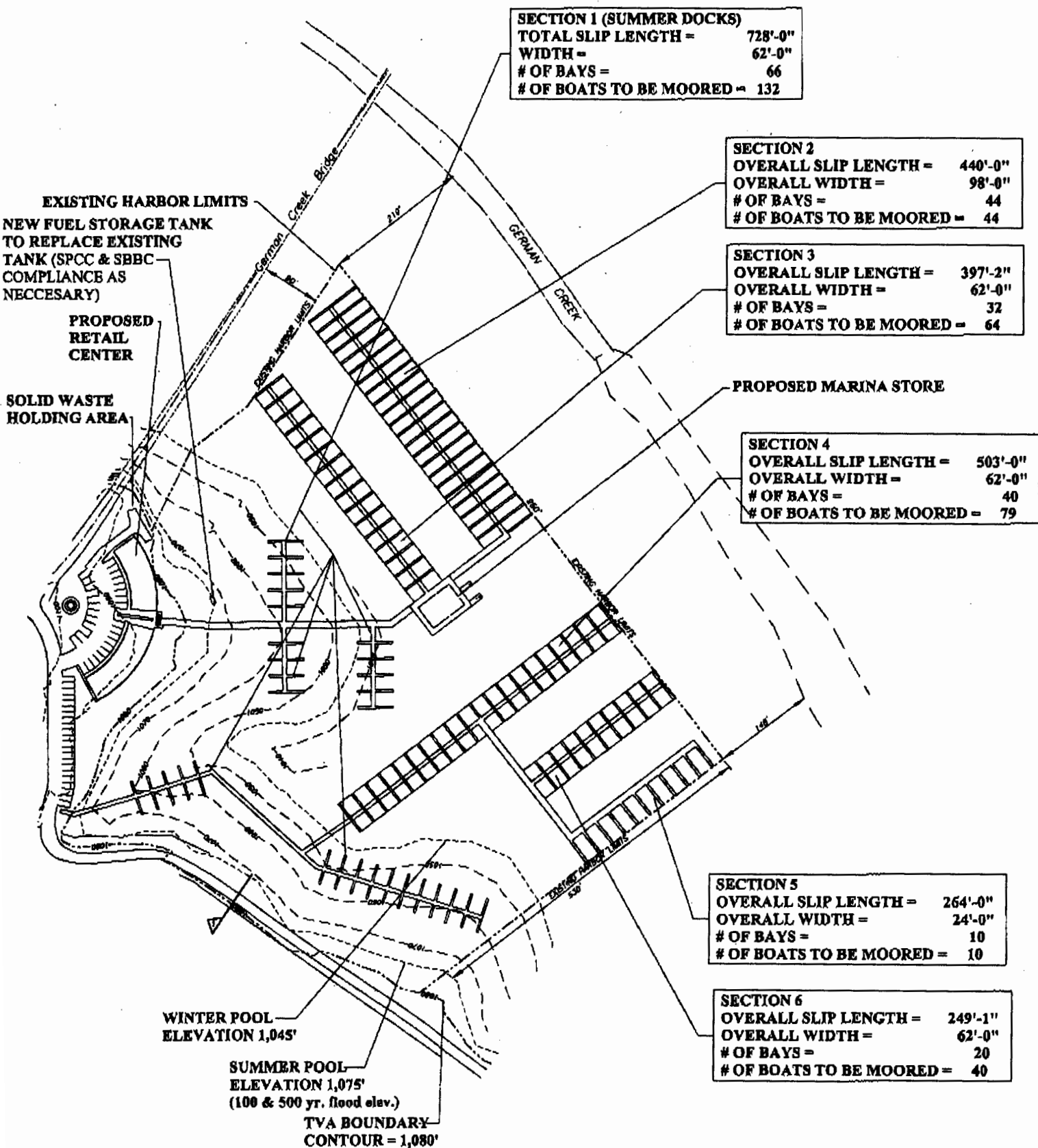
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# **PROPOSED COVERED STAIR STRUCTURE (A)**

PN NO. 06-133

FILE NO. 44174

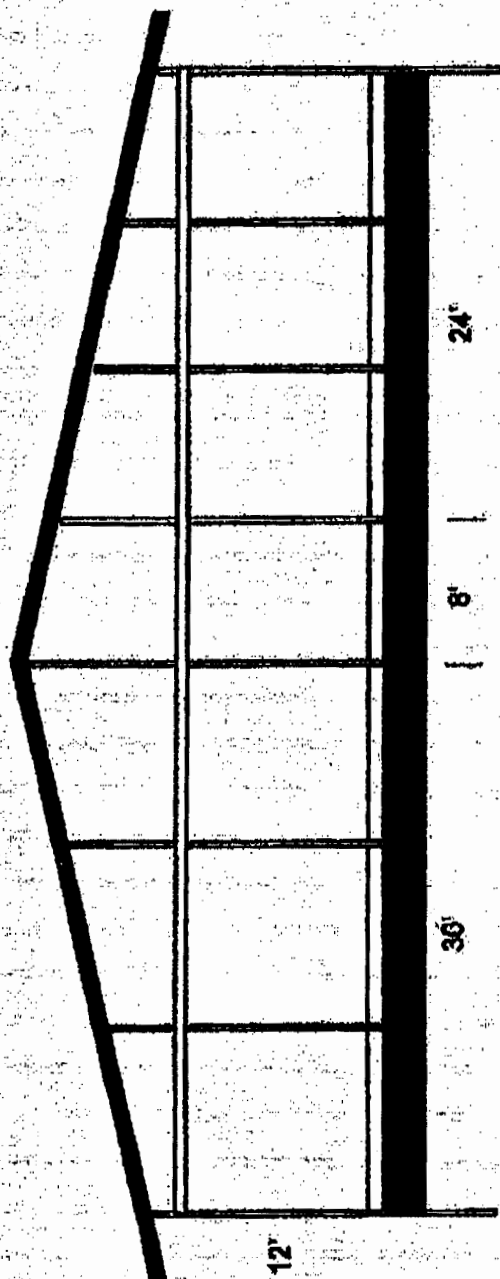
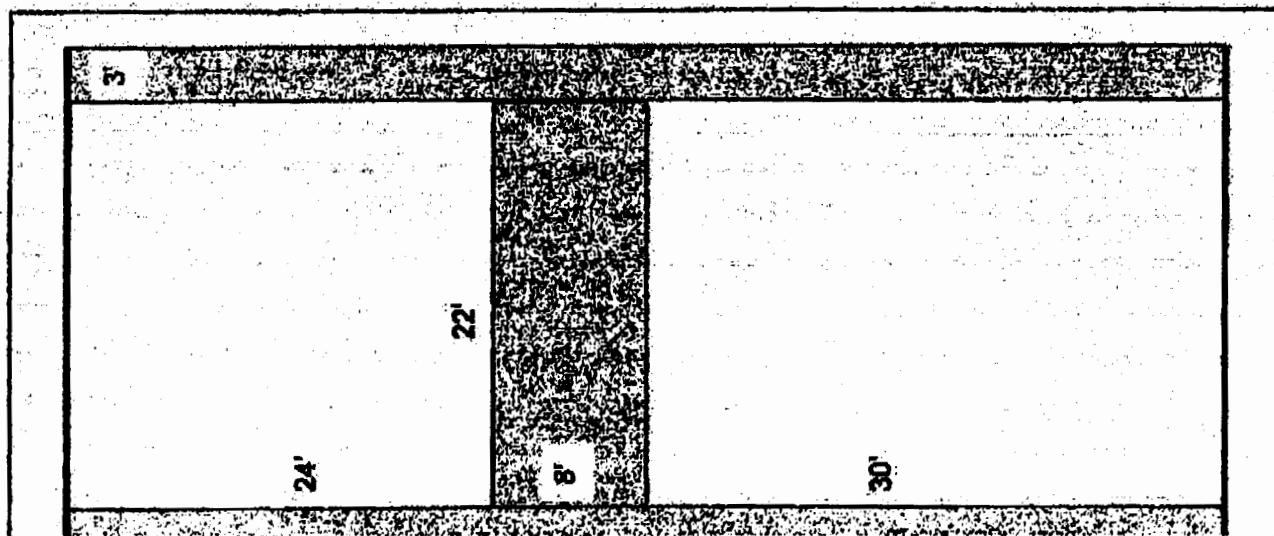


## PROPOSED 213 COMMERCIAL SLIPS

PN NO. 06-133

FILE NO. 44174

NORTH



## COMMERCIAL SLIPS

FINGERS 3' WIDE  
HEADERS 8' WIDE  
ROOF HGHT 12'

### SECTION 1

33 SLIPS 22' X 30' = 66 BOATS  
33 SLIPS 22' X 24' = 66 BOATS

### SECTION 3

16 SLIPS 22' X 30' = 32 BOATS  
16 SLIPS 22' X 24' = 32 BOATS

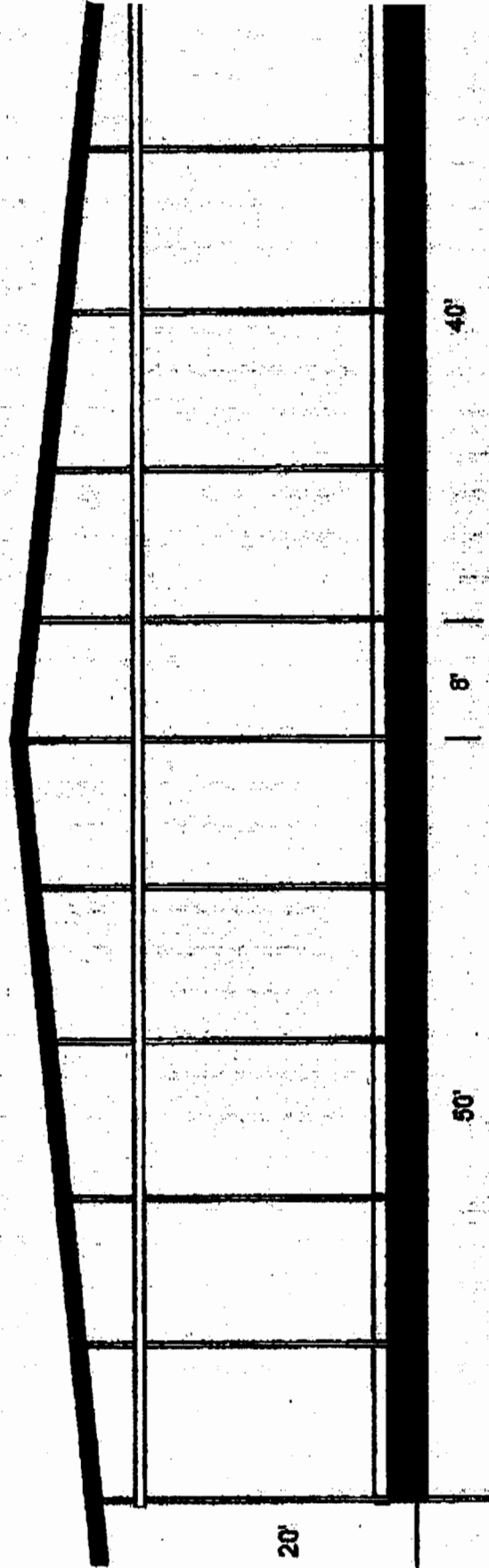
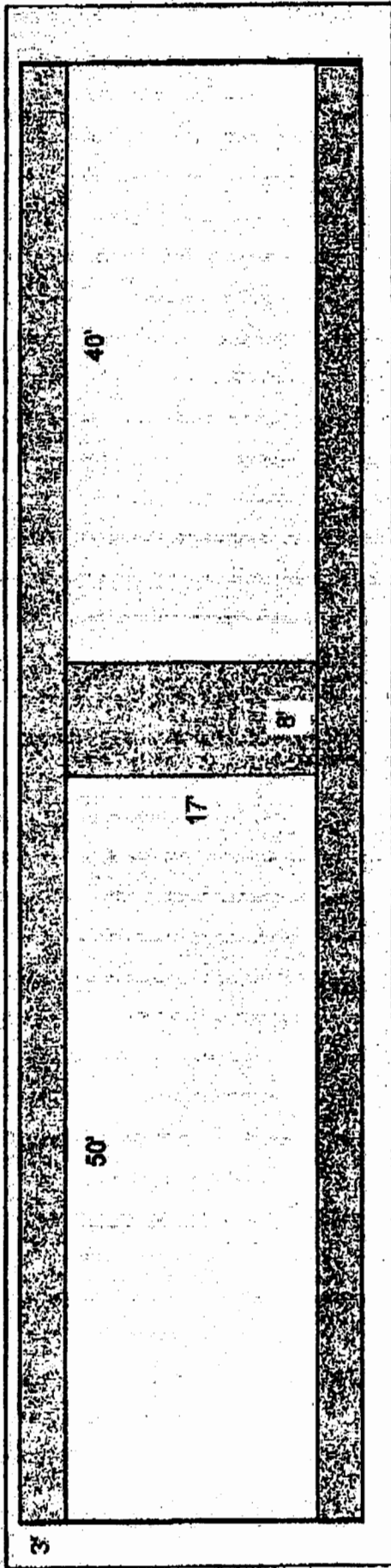
### SECTION 4

20 SLIPS 22' X 30' = 40 BOATS  
19.5 SLIPS 22' X 24' = 39 BOATS

### SECTION 6

10 SLIPS 22' X 30' = 20 BOATS  
10 SLIPS 22' X 30' = 20 BOATS

68'



## COMMERCIAL SLIPS

### SECTION 2

22 SLIPS 17' X 40' = 22 BOATS  
 22 SLIPS 17' X 50' = 22 BOATS

FINGERS 3' WIDE  
 HEADERS 8' WIDE  
 ROOF 20' CLEAR

## COMMERCIAL OPEN HOUSE BOAT SLIPS

### SECTION 5

10 SLIPS 20' X 50' = 10 BOATS

**FUTURE ROOF CAPABILITY  
ON DEMAND**

